

REMARKS

Applicant maintains that U.S. Patent Publication No. 2003/00117678 to Chang does not disclose accommodating a request for a connection on a network by reconfiguring existing connections to a number of possible ways to implement the connection. Applicant submits that the Examiner is relying on passages in Chang that are not related to the function of establishing a connection across a network by reconfiguration. The Examiner refers to passages in Chang that relate to routing optical signals between nodes in a network using different switching methods.

Chang discloses a system in which instead of each packet being routed at the IP level, each packet can be routed optically by including an optical signaling header. Thus, an optical “label” is inserted in front of each optical data packet. Each node in the system is arranged to receive the main signal line as well as a tapped signal line, which is extracted a distance of 2km further up the main signal line. This enables the optical label header to be read and interpreted before the same data is received on the main signal line, due to the propagation delay between the tap and where the main signal line reaches the switching mode. To implement this scheme, each node includes a label switch controller with look-up table (410) that controls an optical switch. The optical switch receives the main signal line and the label switch controller receives the tapped signal line. The label switch controller also receives information from a network controller management system via a conventional circuit switch controller. This system allows an optical label preceding the data packet to control the switching node that the optical data signal is approaching. This is disclosed in paragraph 110. In particular, it is stated that the switch controller 420 is arranged to determine whether to act upon the circuit switched signaling received from the network controller management system or whether to act on the label switching scheme received from the tapped input.

In paragraph 105, Fig. 2 is described in which a preferred path and alternate path are discussed. This paragraph describes how the network element searches for an available route to use for a new connection. It is clearly stated in this paragraph that “if this preferred path at the default wavelength is already occupied by another packet, then network element 121 quickly decides if there is an available alternate wavelength WA through the same preferred path”. It goes on to say that “if there is no choice of wavelengths which allows transport of the packet through the most preferred path, the next preferred path is selected”. This alternate path is then checked to see if the default wavelength WP can be used along it. If not, alternative wavelengths across the alternative path are checked. If this process of scanning for an available route fails and it is determined that this new packet has a higher priority than a packet already utilizing the network, then “the preferred path at the originating wavelength takes place by dropping the other packet of the lower priority which is already occupying the preferred path”. Thus, there is clearly no reconfiguration of an existing connection in order to accommodate a new connection. Instead, the lower priority packet is “dropped”.

Claim 9 clearly states that “when deciding whether to accept or reject a request for the connection in the network, having an option to accommodate the request to reconfigure the existing connections in the network by selecting in respect of at least one existing connection reconfigured, a different one of the number of possible ways to implement the connection”. Thus, the present invention defines a system where existing connections are reconfigured (i.e., maintained but over a different route or wavelength) and not dropped.

Thus, Fig. 2, paragraphs 105 and 110 of Chang do not disclose the invention defined in claim 9. Instead they define a system in which a look-up table is maintained to enable a node to

perform optical label switching. The network controller management system is able to modify these look-up tables so that it can be decided by the switching nodes whether or not to drop packets in preference of higher priority packets. This document makes no reference to the reconfiguration of connections over a network.

To emphasize these differences further to the Examiner, claim 9 now more clearly states that an existing connection is reconfigured by choosing an alternative route from the number of possible ways to implement that existing connection such that a new connection can be established.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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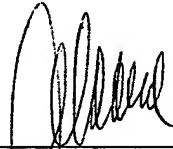
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